

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NICOLE R. SEAMAN,

Defendant.

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Case No. 8:09CR27

ORDER

This case is before the court on the defendant's oral motion for review of detention and request for placement at NOVA (#74). The motion is denied.

The defendant's proposed placement at NOVA does not overcome the rebuttal of presumption of detention in 18 U.S.C. § 4142(e). Additionally, the defendant's motion contains no additional evidence or information that would cause the court to reconsider its earlier Order of Detention. This is particularly true given the defendant's prior record of failures to appear and the court's March 16, 2009 Order granting a Petition for Action on Conditions of Pretrial Release (#38), resulting in the revocation of her February 3, 2009 Order Setting Conditions of Release (#28) and her commitment to custody.

IT IS ORDERED the defendant's oral motion for review of detention and placement at NOVA (#74) is denied without hearing.

Dated this 11th day of May 2009.

BY THE COURT:

S/ F. A. Gossett
United States Magistrate Judge